PART XII.

RULES UNDER THE INDIAN OPIUM ACT, I OF 1878.

In exercise of the powers conferred by Sections 5 and 13 of the Opium Act, 1878, and in supersession of all previous rules under the same sections, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules for regulating the traffic in opium in the Bombay Presidency (namely).

Preliminary.

Short title.

1. These rules may be cited as the Bombay Opium Rules. (Notn. No. 4472, *B. G. G.*, 1885, pp. 704 to 715.)

2. In these rules, unless there be something repugnant in the subject or context,—

(1) "opium" has the meaning defined in the Act;

(2) "Commissioner" means the Commissioner of Customs, Salt, Opium and A'bkári.

(3) "Collector" means any revenue officer in independent charge of a district, and, within the limits of the town of Bombay, the Collector of Customs: it also includes any Assistant Collector, Deputy Collector, or Assistant Collector of Customs duly authorized by such Collector to perform all or any of the duties imposed on a Collector by these rules;

(4) "farmer" means a person who has obtained from the Collector a farm under Rule 43;

(5) "licensed vendor" means a person who has obtained a license for retail vend under Rule 39 or 45;

(6) "presidency of Bombay" includes Sind;

(7) "town of Bombay" means the area comprised in the limits of the jurisdiction of the Presidency Magistrate;

(8) "warehouse" means the Bombay Opium Warehouse appointed by the Governor in Council in Government Notification No. 2205, dated 16th March 1885, (published in the *Bombay Government Gazette* for 19th idem, page 341,) under section 7, clause (*c*), of the Act, for the storage and deposit of opium legally imported into and intended for exportation by sea from the presidency of Bombay.

Cultivation and Manufacture.

3. The cultivation of the poppy and, except as provided in Rules 22, 39, 43 and 44, the manufacture of opium for sale or export are prohibited within the presidency of Bombay.

Possession.

4. Except as provided in Rules 5 and 6, or by a special order of the Commissioner under Rule 11,—

(i) no person shall have in his possession any opium other than—

(*a*) opium purchased from Government, or from a farmer or licensed vendor, or under Rule 36, or

(*b*) a preparation or admixture made for his own domestic use from opium so purchased;

(ii) no person, not being a farmer or licensed vendor, shall have in his possession more than five sers of poppy-heads or ten tolás of any description of opium not being poppy-heads.

5. Rule 4 does not apply to—

(i) opium in transit covered by a permit under Rule 7;

(ii) opium lawfully imported—

(*a*) during transit to its destination;

(*b*) when warehoused under the provisions of Rule 21;

(G. N. No. 229, *B. G. G.*, 1886, Pt. I., p. 32.)

(iii) opium imported into Ahmedabad under Rule 13 A and possessed, subject to such conditions as the Commissioner may prescribe, by an authorized agent of His Highness the Mahárával of Dungarpur pending disposal.

(6) The Collector may grant:

(*a*) to any medical practitioner residing within his district, a license in the form marked A, hereto annexed, for the possession of opium for medical purposes only;

(*b*) to any person, a special permit authorizing him, for a specified period, to have in his possession for private consumption only a specified quantity of opium in excess of ten tolás.

Transport.

7. The transport from one place to another within the presidency of Bombay of any quantity of opium exceeding ten tolás in weight is prohibited, except under cover of a permit in Form B., hereto annexed, or in such other form as the Commissioner from time to time prescribes, granted—

(*a*) in the case of opium to be transported from one place to another within the town of Bombay, or from any place within to any place without the town of Bombay, by the Collector;

(*b*) in the case of opium to be transported from any place in the presidency outside the town of Bombay to the town of Bombay, or to any other place in the presidency, by the Collector of the place from which it is to be despatched:

Provided that—

(1) in the case of opium imported into the town of Bombay, the permit to cover transport from the railway-station to the warehouse may be endorsed on the pass referred to in Rule 16;

(2) in the case of opium to be exported by sea, the permit to cover transport from the warehouse to the place of shipment may be endorsed on the shipping bill;

(3) in the case of opium removed from a Government depôt to a retail shop, a permit in the Form C., hereto annexed, or in such other form as the Commissioner from time to time prescribes, may be granted by the officer in charge of such depôt.

8. Except in the case of transport from one place to another within the town of Bombay or within any district, no such permit shall be granted unless the person applying for it can produce a written permission so to apply, signed—

(*a*) if transport to a place within the town of Bombay be applied for,—by the Collector of Customs;

(*b*) if transport to any district be applied for,—by the Collector of such district.

A copy of the permit granted shall be sent—

in case (*a*), to the Collector of Customs;

in case (*b*), to the Collector of the district to which the opium is to be transported.

9. No package containing opium shall be opened during transport.

10. The permit and the packages shall, on arrival, be presented for examination to the Collector.

If, after examination, the Collector concludes that the packages have not been opened or tampered with in transit, if their number is complete, and if they be found to be of the full weight specified in the pass (less such allowance for dryage, if any, as the Local Government from time to time prescribes), the packages may be dealt with by the owner as the law or these rules allow, the permit being retained by the examining officer. Otherwise the packages shal be detained and dealt with as the law or the orders of any duly authorised authority may direct.

Import.

11. No opium shall be imported into the presidency of Bombay by sea except in whole or half chests for re-exportation as provided by Rule 29:

Provided, however, that at the port of Bombay only, opium may be imported otherwise than in whole or half chests for re-exportation, subject in all cases to payment of the full duty imposed by the Sea Customs Tariff for the time being in force and to any special orders passed by the Commissioner as to subsequent possession and disposal of the opium imported.

12. No opium shall be imported into the presidency of Bombay by land, unless it be:

(*a*) booked through by railway for re-exportation to other parts of British India, or to native states;

(*b*) for exportation by sea from the port of Bombay;

(*c*) for retail sale by licensed vendors, in any district in which the direct importation of

opium for such sale is sanctioned by the Local Government, and subject to any conditions which the Local Government may from time to time prescribe: *

Provided that any opium imported for either of the purposes mentioned in clause (*b*) and clause (*c*) may after it reaches its destination in the presidency of Bombay, and with the permission in writing of the Collector, be dealt with in any other way permitted by the law for the time being in force. But, subject to any conditions which the Local Government may prescribe in this behalf, permission shall not be granted by the Collector until the difference between the duty on the opium in question, calculated at the rates in force at the date of the application, on opium intended for exportation and on opium intended for retail sale, respectively, shall have been recovered or refunded, as the case may be.

13. No opium shall be imported into the presidency of Bombay by land except by one of the following routes, that is to say—

(*a*) from any place on the frontier of the Kadi division in the territory of His Highness the Gáikwár, which the Local Government may from time to time appoint, direct to the town of Ahmedabad;

(*b*) by railway, from Khándwa, or *viâ* Pálanpur and Ahmedabad.

(G. N. No. 229, *B. G. G.*, 1886, Pt. I., p. 32.)

13A. Notwithstanding anything contained in Rule 13, Opium, the property of His Highness the Mahárával of Dungarpur may be imported into Ahmedabad, under an escort furnished by His Highness the Mahárával, by the following route, *viz.*, from Kherwáda, by Vichwáda, Samera, Samlaji, Tintoi, Bákrol, Lembhoi, Dhákrol, Modhuka, Hársol, Ujdia, Dehgam, Národa to Ahmedabad, and subject to examination as to number, weight and tampering in transit, at any of the above places which the Local Government may appoint in this behalf.

14. Opium booked through for re-exportation to other parts of British India or Native States shall be detained and examined as to number, weight and tampering in transit at any railway-station in the presidency which the Local Government may appoint in this behalf.

15. Opium imported by land for exportation by sea shall be brought direct to the town of Bombay, and there deposited, in the manner provided in Rule 21, until such time as it may be disposed of.

16. No opium shall be imported by land except after payment of the duty, if any,† imposed by the Governor General in Council under section 6 of the Act, and under a pass in Form D., hereto annexed, or in such other form as the Commissioner from time

* *Vide* Appendix A.
† *Vide* Appendix D.

to time prescribes, granted by the Government Opium Agent at Indore, Chitor, Ujjein, Rutlam, Dhár, Ajmir, Ahmedabad, Mundisar, or Bhopál, or by some other officer duly authorized in that behalf by the Governor General in Council or the Local Government, respectively.

16*A*.—Notwithstanding anything contained in Rule 16, opium imported from the Kadi Division of His Highness the Gáikwár's territory under clause (*a*), Rule 13, and opium imported under Rule 13*A* from the territories of His Highness the Mahárával of Dongarpur, shall be allowed to be brought to the scales at Ahmedabad on provisional passes to be granted by the Opium Agent, Ahmedabad, in such form as may be prescribed by the Commissioner from time to time without previous payment of duty. But no such opium shall be allowed to be passed from the scales except on payment of duty, if any, and under a pass as provided in Rule 16. (Notn. No. 6914, *B. G. G.*, 1889, Pt. I., p. 804.)

17. The duty on opium intended for exportation by sea shall be payable as follows :—

at the Ahmedabad Opium Agency, in cash or by hundi payable at sight at the Bank of Bombay ;

at the Ajmir Agency, in cash or by hundi drawn on some trustworthy firm in Bombay, and payable at sight ;

at all agencies subordinate to the Opium Agent, Indore, by hundis drawn on some trustworthy firm in Bombay and payable at six days' sight.

18. Intimation of the passes granted and hundis received daily shall be sent by the officer granting and receiving the same direct to the Collector of Customs and to the Bank of Bombay (in the case of hundis thereon) ; and, when the opium concerned is intended for retail sale by licensed vendors, or for immediate re-exportation from the Presidency of Bombay to another part of British India or to a Native State, to the Collector or Political Officer of the locality to which the opium is to be sent. The passes shall be delivered to the importers to cover their consignments.

19. Save as permitted in Rules 11 and 20, no opium shall be imported into the Presidency of Bombay—

(*a*) except in whole chests containing 140 lbs. of opium, or half-chests containing 70 lbs., *plus* such allowance, if any, for dryage as the Local Government may from time to time prescribe ;

(*b*) unless each such chest or half-chest be marked with the consecutive number of the pass, the total number of chests forming the consignment and the distinctive brand of the office from which the pass was issued.

20. Notwithstanding anything contained in Rule 19, opium booked through by railway for re-exportation to the Presidency of Madras may be imported in strong wicker baskets subject to the following conditions :—

(*a*) each basket shall be stoutly and securely sewn over with leather, and shall contain 10 lbs. of opium;

(*b*) seven of such baskets shall be packed in a strong gunny or cloth bag, which shall be securely sewn;

(*c*) each bag shall have a label sewn on it, showing the number of its covering pass and its weight at the scales, and a distinguishing number or mark.

21. Opium imported into the Presidency for exportation by sea shall be conveyed to Bombay and shall, on arrival, be presented to the Collector, together with the pass covering the same. The consignment shall be verified in the manner specified in Rule 10, and conveyed direct to and deposited in the warehouse:

Provided that any such opium may be detained by the Collector at the risk of the consignee, until payment of the duty, when it is paid by hundi, has been certified by the Bank of Bombay, or until any other condition prescribed by this rule has been fulfilled.

22. Opium imported into the town of Bombay may, for export purposes, be manufactured into chandul, but such chandul shall continue liable to all the restrictions on transport which under these rules apply to opium. The manufacture shall be conducted under licenses to be issued by the Collector on such conditions as the Commissioner may from time to time prescribe.

Export.

23. Opium imported under Rule 12 for exportation by sea may be so exported from the port of Bombay only.

24. Opium so exported by sea shall be packed in whole or half chests containing the weights specified in Rule 19.

25. When opium is to be removed for exportation by sea, the exporter shall enter in the shipping bill, under which the opium is to be exported, the marks and numbers of packages and the number of packages of each mark to be removed from the warehouse. The shipping bill so prepared shall be checked with the warehouse register and removals noted therein.

26. Opium converted into chandul under Rule 22 may be exported under the same conditions as are provided in Rules 23 to 25 for ordinary opium, at the rate of 140 lbs. of chandul to 70 lbs. of opium.

27. When any person desires to export opium from the Presidency of Bombay into any foreign State, or into any other part of British India, he shall obtain a pass for each consignment, in such form as the Commissioner may from time to time prescribe, from the Collector of the district from which such opium is to be exported, or, in the case of export from the town of Bombay, from the Collector of Customs.

The pass shall specify—

(1) the name of the person in charge of the consignment,

(2) the name of the consignee,

(3) the number of packages and the weight and contents of each, and

(4) the destination of the consignment.

But no such pass shall be granted unless the person applying for it produces a written permission so to apply, signed by the Collector of the district, or the Political Officer accredited to the foreign State into which such opium is to be imported.

28. The Collector may thereupon grant a pass for the export of such opium.

Each package shall be sealed in the presence of the officer granting the pass and with his official seal.

Transhipment and Re-export.

29. Notwithstanding anything hereinbefore contained to the contrary, opium not the produce of India may be imported by sea into the port of Bombay or Karáchi, and opium, whether the produce of India or not, may be imported by sea into the port of Aden: provided in each case that the opium so imported be manifested for transhipment or for re-exportation in the same bottom.

Opium so imported may be re-exported by sea from the said ports.

All such opium imported into and re-exported from the said ports in the same bottom shall be liable to a duty at the following rates on each chest not exceeding 140¼ lbs. avoirdupois net weight:—

when the consignment* does not exceed 150 chests, at Rs. 5 per chest.

from 151 to 300 chests, at Rs. 4 per chest.

from 301 to 600 chests, at ,, 3 ,,

601 chests and upwards, at ,, 2 ,,

Provided that opium on which a transhipment or re-export fee has been levied at one of the said ports shall be exempt from the payment of a re-export fee at any other of the said ports.

30. Small parcels of opium imported under Rule 11, on which full customs-duty has been paid, may be exported by sea or land under the special orders of the Commissioner.

General Rules as to Opium transported, imported and exported.

31. No railway company shall receive or convey opium not covered and accompanied by a permit or pass of an officer competent under these rules to grant the same; or shall convey opium otherwise than direct, and in the custody of its own officers, to the station at which, according to the route prescribed in such permit or pass, it should leave the railway.

* The term "Consignment" obviously means the quantity consigned by one person or firm to another person or firm (G. R. No. 8415 of 15th November 1883, R. D.).

32. The bulk of a consignment of opium in transport or in transit in the course of importation or exportation shall not be broken; and any revenue officer not inferior in grade to a Mahálkari, or any inspector or sub-inspector in the Ábkári or Opium Department, or any police officer not inferior in grade to a head constable, may at any time examine such a consignment.

If, after such examination, the officer concludes that the packages have not been opened or tampered with in such transport or transit, if their number corresponds with the number specified in the permit or pass, and if they be of the full weight specified in such permit or pass (less the allowance, if any, granted for dryage), the consignment shall be allowed to proceed. Otherwise the consignment shall be detained and disposed of according to law.

33. Opium, the property of a farmer licensed by His Highness the Gáikwár for the retail sale of opium in His Highness's territories, and intended for the supply of the said farmer's retail shops, may be imported into and transported through or exported from British territory when taken direct from one or other of the depôts and sub-depôts mentioned in the margin under cover of permits issued and signed by a Náib-Subha of a division or of a táluka of His Highness's territories to the retail shop at which it is to be sold. Such permit shall be in Form C. appended to these rules.

Depôts:—
Navsári.
Baroda.
Kadi.
Sub-Depôts:—
Viara.
Velácha.
Petlád.
Dehgám.
Pátan.
Kherálu.
Attarsumba.

(Notn. No. 7592, *B. G. G.*, 1889, Pt. I., p. 858.)

(Notn. No. 4426, *B. G. G.*, 1891, Pt. I., p. 538, 2nd July 1891.)

33*A*. The conditions subject to which the transport through British territory of opium which has been seized as liable to confiscation in any part of the territories of His Highness the Gáikwár of Baroda, but which has not been ordered to be confiscated, shall be permitted, are as follows:

(*a*) that the opium shall be transported by the most direct route from the place of seizure to the place at which its liability to confiscation is to be decided;

(*b*) that it shall be covered by a pass which shall contain the following particulars:

(i) the route by which, the time during which, and the places from and to which transport is to be effected;

(ii) the quantity of the opium to which the pass refers;

(*c*) that every such pass shall be—

(1) in the Form F hereto appended,

(2) signed by the Náib Subha of the Division,

(3) kept during transport in the possession of the person in charge of the opium,

(4) produced on demand made by any British officer of the Departments of Land Revenue, Police, Opium and Ábkári;

(*d*) that no quantity shall be so transported in excess of that mentioned in any pass granted or produced in respect thereof or by any route other than that mentioned in such pass;

(*e*) that intimation of the route by which any such opium is to be transported shall be given to the Police patel of the first village in British territory through which the opium may have to pass not less than twenty-four hours before the transport through such village is commenced.

Sale.

34. Opium is said to be sold "retail" when a quantity less than half a chest of 140 lbs. is sold in a single transaction. It is said to be sold "wholesale" when half such a chest or any larger quantity is so sold.

35. No person shall sell any opium to any person not legally authorized to possess the same.

36. Opium deposited in the warehouse under Rule 21 may be sold wholesale in the town of Bombay pending its disposal, subject to the provisions of these and of the Bombay Opium Warehouse Rules as to removal from the warehouse, and provided that only whole chests or half-chests shall be so sold.

36*A*. Opium imported into Ahmedabad under Rule 13*A* may be sold wholesale to Native Chiefs and British farmers or licensed vendors in the city of Ahmedabad pending its disposal, subject to the provisions of these rules as to transport or export, as the case may be, and provided that only whole chests or half-chests shall be so sold. (Notn. No. 229, *B.G.G.*, 1886, Pt. I., p. 32.)

37. No person shall retail opium without a license: Provided that any medical practitioner to whom a license has been granted under Rule 6 may sell opium in quantities not exceeding in any one transaction ten tolás as medicine or in medical preparations.

38. No retail vendor shall sell more than ten tolás of the inspissated juice of the poppy, or of any preparation or admixture thereof, or of any intoxicating drug prepared from the poppy, or more than five sers of poppy-heads, except to a licensed vendor or farmer or to a medical practitioner or other person holding a special permit granted by the Collector under Rule 6, or under a special order from the Commissioner or a Collector.

39. Licenses for the retail of opium or for the manufacture and retail of all or any intoxicating drugs prepared from the poppy may be granted for the town of Bombay by the Collector of Customs and for other parts of the Presidency by the Collector of the district. Such licenses shall be in the Form E., hereto annexed, or in such other form as the Commissioner from time to time prescribes.

40. Whenever a license is granted for the retail of opium, the officer who grants it shall demand

such payments and shall impose in the license such conditions on the licensee as may from time to time be prescribed by the Commissioner.

(Notn. No. 9061, *B. G. G.*, 1885, Pt. I., p. 1283.)

41. *Cancelled.*

42. Licenses for retail shall be granted for one year only, unless the Commissioner shall otherwise specially direct.

43. With the general or special sanction of the Commissioner, the Collector may let in farm the right to retail opium, or to manufacture and retail all or any intoxicating drugs prepared from the poppy, in any local area under his control, for a term not exceeding five years. The Commissioner may prescribe rules:

(*a*) for the invitation and acceptance of tenders for such farms.

(*b*) for the requisition of security for the due fulfilment of the engagements entered into by the farmers, and

(*c*) as to the form and conditions of such leases.

Any breach of such engagement shall render the lease liable to annulment by the authority by whom the farm was sanctioned.

44. When any such farm is given, the farmer may make his own arrangements for the appointment of subordinate vendors, and for the manufacture of intoxicating drugs, within the limits of his farm and subject to the conditions of his lease: provided that no opium except that supplied from a Government depôt and opium lawfully imported under clause (*c*), Rule 12, and opium otherwise lawfully obtained, shall be retailed or used in the manufacture of such drugs.

45. Licenses for the retail of opium, or of intoxicating drugs prepared from the poppy, by persons appointed by the farmer to retail on his behalf, shall be granted by the Collector in such form and on such conditions, consistent with the conditions of the farm, as the Commissioner from time to time prescribes.

46. With the sanction of the Commissioner, the Collector may cancel any lease granted under Rule 43; or may, within the period of the lease, impose any new reservation or restriction on the farmer.

If any such lease be cancelled for any cause other than a breach of the conditions thereof, or if any reservation or restriction with respect to the grant of licenses be imposed during the lease, the Commissioner shall award such compensation as he thinks reasonable to the farmer for any damage sustained by him by reason of such cancellation, reservation, or restriction.

47. If any licensed vendor or farmer shall have in his possession, on the expiry of his license or farm, any opium which he is unable to dispose of, to the satisfaction of the Collector, by private sale to other licensed vendors or farmers, he shall

surrender the same to the Collector; and the incoming licensed vendor or farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, when required by the Collector, shall be bound to purchase the opium aforesaid to the extent of two months' supply at such price and in such quantities as the Collector shall adjudge: provided that the price of opium thus adjudged shall in no case exceed the rate at which it can be procured from the Government; provided also that, if such opium be in the opinion of the Collector unfit for use, the Collector shall cause it to be destroyed.

48. Central and subsidiary depôts of opium for issue to licensed retailers and farmers and for other Government purposes shall be established at Bombay and such other places as the Local Government may from time to time direct.

49. The opium required for these depôts shall be imported from Málwa or Bengal, or otherwise procured as the Local Government may direct, and shall be stored in the first instance at the central depôts, whence it will be supplied on indents to the subsidiary depôts as required.

*50. Opium shall be issued from the Goverment depôts to licensed vendors at a price to be fixed and notified from time to time by the Local Government.

Import, &c., on behalf of the Government.

51. Nothing contained in the foregoing rules shall be deemed to affect the possession, transport, import, export or sale of opium by or on behalf of the Government.

Permission to import, export, transport and sell Opium.

52. Subject to the prohibitions, conditions and regulations imposed and prescribed by the foregoing rules, the manufacture, possession, import, export, transport and sale of opium are permitted.

Disposal of things confiscated.

53. Opium confiscated under the Act shall be examined by the Collector, and, if declared by him to be fit for use, shall be sent to the nearest depôt. If declared to be unfit for use, it shall be immediately destroyed.

54. If the opium so sent to a depôt be of quality sufficiently good for retail purposes, it shall be added to the stock at the depôt. But if such opium be of inferior quality, it may be issued to retail dealers at a special rate proportioned to its quality, but shall be subject in other respects to the same conditions as other opium.

*Opium is issued from all Government depôts in the Presidency of Bombay including Sind at the fixed rate of Rs. 10 per lb. of 40 tolás each. (Notn. No. 3023, *B. G. G.*, 1883, p. 296, and Notn. No. 4772, *B. G. G.*, 1885, p. 735.)

55. All property, other than opium, which is confiscated under the Act, shall be sold under the orders of the Magistrate or other officer by whom the confiscation was adjudged.

Rewards to be paid to Officers and Informers.

*56. Any Magistrate convicting an offender under section 9, or any Magistrate or other authorized officer ordering the confiscation of opum under section 12 of the Act, may grant, in such proportions as he thinks fit, to any person or persons who have contributed to the seizure of the opium, or the conviction of the offender, a reward not exceeding the value of the opium and other articles confiscated in the case *plus* the amount of any fine imposed; or may place such aggregate amount to be awarded at the disposal of the head of the department, any officer or officers of which may have contributed to the seizure of the opium or the conviction of the offender, to be distributed by such head of the department in such proportion as he thinks fit among persons whom he may consider to be entitled to reward in connection with such seizure or conviction.

(Notn. No. 7007, *B. G. G.*, 1888, Pt. I., p. 840.)

1. Every order for reward shall state exactly the sum of money awarded as a reward from—
   (*a*) the value of the opium and other articles confiscated in the case, and
   (*b*) the amount of fine imposed.
2. For the purpose of determining the amount of reward under head (*a*) above, the value of the opium shall invariably be calculated at the rate of Rs. 6 per lb. (unless the officer passing the order considers the opium to be decidedly valueless and records an opinion to that effect) and the value of other confiscated articles shall be appraised by him at his discretion.
3. Immediately after an order for a reward is passed, a warrant shall be issued on the Treasury for the prompt disbursement of the amount of reward adjudged under the head (*a*), Rule I, and for the payment of the amount adjudged under the head (*b*) *after* the recovery of the fine shall have been certified by the Magistrate concerned, a copy of the warrant being at the same time given to the intended recipient.
4. The sufficiency of the amount adjudged as a reward in each case should be judged (*a*) by the importance of the seizure, and (*b*) by the dexterity displayed, and the trouble and risk undergone, by the informers, captors and others concerned, acting in good faith.

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*Government regret to notice that in comparatively few cases have the Magistrates availed themselves of the power conferred upon them to grant rewards in cases of opium smuggling. In the interests of the public revenue it is desirable that such rewards should always be granted when fairly earned. (G. R. No. 273, dated 26th January 1882, R. D.)

5. If the fine is not paid within 24 hours, or only paid in part, the convicting Magistrate may, within a limit of Rs. 100, order payment of its full amount or of the unrealised balance, as the case may be, from the Treasury. (Notn. No. 8664, *B.G.G.*, 1890, p. 1227, 11th Dec. 1890.)

6. If an officer who passes an order for a reward considers the maximum amount of reward which he is competent to grant or the amount actually available for reward to be insufficient, or if the District Magistrate is of opinion that the reward granted in any case by a subordinate Court or officer is insufficient, the District Magistrate may, on the application of the officer concerned in the former case, and of his own accord in the latter case, apply for the sanction of the Commissioner to supplement the reward by a further reward under Rule 57 of the Opium Rules of such amount as the District Magistrate may deem fit to recommend, submitting at the same time a clear statement of the case, and of the grounds for his recommendation. The Commissioner may sanction, modify or reject the District Magistrate's recommendation as he may think fit in each case.

57. In any case in which, in the opinion of the Commissioner, any person has performed any service of special merit in respect of the prevention or detection of opium-smuggling or of any offence against the Act, the Commissioner may grant to such person a reward not exceeding in amount five hundred rupees.

The Commissioner, or, with the sanction of the Commissioner, a Collector or the Collector of Salt-revenue, may incur at his discretion expenditure not exceeding five hundred rupees in each case for the employment of informers or for any other purpose connected with the prevention or detection of opium-smuggling or of any offence against the Act.

The Commissioner shall, from time to time, report to the Government the circumstances under which any reward may have been granted or expenditure may have been incurred under this rule.

Control.

58. All Collectors shall, as regards any matter arising in the administration of these rules, be subject to the general control of the Commissioner.

59. The decision of the Collector as to the value of opium which has been seized shall be final.

FORMS.

A.—SPECIAL LICENSE TO MEDICAL PRACTITIONER.

(See Rule 6.)

Special license granted to *A. B.*, following the profession of at in the of for the possession of opium, on the condition that such opium shall be procured from a Government depôt, or a licensed vendor, and shall be used *bonâ fide* as medicine or in medical preparations or prescriptions.

Collector, (or as the case may be).

Dated *189* .

B.—PERMIT FOR TRANSPORT OF OPIUM.

(See Rule 7.)

No. *of*

Pass from *(here state locality and district)* to *(here state locality and district)*, by *(here give route and mode of conveyance)* in charge of *(here give name)* opium to the amount of *(here state weight)* in *(here state number and description of packages)*.

This Pass is to remain in force from *(specify date or hour)* to and to be delivered on arrival of the opium at its destination to *(here enter name or official designation)*.

Collector, (or as the case may be).

Dated *189* .

C.—PERMIT FOR CONVEYANCE OF OPIUM FROM GOVERNMENT DEPÔT TO SHOP FOR RETAIL SALE.

(See Rule 7.)

No. *of*

Pass from the Government Opium Depôt at to the Shop of *(here enter name)*, at *(here enter locality and shop)*, Sers Tolás of Opium in charge of *(here enter name)*, between the hours of M. and M. on the *(here enter date)* 189 .

Dated at (Bombay), *189* .

Officer in charge of Depôt.

D.—IMPORT PASS.

(See Rule 16.)

(Front.)

Seal.

OPIUM.

No. of 18 .

Importer
Consignee
In charge
Rupees
Chests
Half-chests
Rupees
Net weight
Allowance for leaf and dust
Total net weight of a chest

Route

Registered

Indore Opium Agent's Office, 18 .

WHEREAS having paid to the British Government the sum of Rs. as a consideration for the privilege of importing from (Málwa, or as the case may be,) to Bombay chests of opium containing pounds of Málwa opium at the rate of hundred rupees per 140¼ (one hundred and forty and a quarter) pounds weight; and the said having agreed to pay all customs and duties thereon to the Native States and Chiefs through whose territories the opium will have to pass; is hereby permitted to convey by the route described in the margin from (Málwa, or as the case may be,) to Bombay, for exportation thence by sea, (or as the case may be) the above quantity in such packages as shall hereupon be endorsed, free of any further duties whatever.

This pass will be valid until the 18 , and no longer, and shall, on the opium being warehoused, be retained and cancelled by the Collector of Customs.

By order of his Excellency the Honourable the Governor in Council,

Opium Agent.

Paid on the 18 .

Pass from Railway Station to Warehouse by in charge of Opium to the amount and in the packages above stated
This pass is to remain in force from to

Opium Department, Bombay, 18 .

Assistant Collector of Customs
in charge Opium Department.

PASSPORT.

MEMORANDUM of the outturn of half chests of opium taken from chests brought to the scales under pass No.

	No.	Outturn of each half-chest.	Outturn of each whole chest.
	1	2	3
Contents of chests, net weight			
Average per one chest			
Allowed to export chests at 140¼ lbs. per chest...			
Average contents of chests brought to the scales			
Deficiency made good in No.			

Cleared in full as above.

Railway Station, Bombay, 18 .

Opium Inspector.

Deposited in compartment No. of the Government Opium Warehouse on 18 .

Warehouse-keeper.

Entered in Register.

Assistant Collector of Customs,
in charge Opium Department.

(Reverse.)

DETAILS OF REMOVALS PRIOR TO EXPORT BY SEA.

	Out of	From	To	No. of Chests.	No. and date of Transport Permit.	Pass No. of 18 .

PACKAGES OF OPIUM IMPORTED FROM MA'LWA UNDER PASS No. .

Marks and Numbers of Packages.		Gross Weight, *lbs.*	Marks and Numbers of Packages.		Gross Weight, *lbs.*	Marks and Numbers of Packages.		Gross Weight, *lbs.*
1	2	3	4	5	6	7	8	9

E.

(See Rule 39.)

License for Retail Sale of Opium.

District

Number of License in the Register

Name of Retailer

Locality of Shops

Be it known that
resident at in the town of
is hereby authorized to sell opium by retail at the shops above mentioned from the
day of to the day of
(both inclusive) upon the following conditions :—

1. That he will sell by retail at the shops aforesaid not less than
pounds of duty-paid opium in the aggregate during the period aforesaid. If he sells less than that quantity, he will pay to Government in the manner and on the dates hereinafter specified penalty at the rate of Rs. 5 per pound on the quantity of opium required to make up the said minimum.

2. That he will purchase from the Collector confiscated opium and opium surrendered to the Collector by the retiring licensed vendor or farmer of the district, in such quantities not exceeding two months' supply, and at such price not exceeding the rate at which opium can be procured from a Government depôt, as the Collector shall adjudge.

3. That he will sell no opium but such as may have been previously approved and passed by the Collector or by some other officer authorized by the Collector to approve and pass the same, and no opium but such as he may have—

(*a*) purchased from a Government depôt, or

(*b*) purchased from a wholesale dealer in Bombay and transported for retail sale in accordance with the provisions of the Opium Act and the Rules framed thereunder, or

(*c*) lawfully imported for retail sale in accordance with the same Act and Rules, or

(*d*) purchased from the Collector under the provisions of Clause 2 of this license.

That he will not receive or have in his possession any opium obtained in any other manner.

4. That he will bring all opium purchased by him from a wholesale dealer, or lawfully imported by him, under the last preceding clause, direct to the Huzúr Treasury to be there examined by the Collector or other officer nominated by the Collector to examine and pass opium for retail sale; that he will remove and dispose of forthwith in some lawful manner other than for retail sale at his shops any portion of the opium tendered for examination which the Collector or other officer aforesaid may reject as being unsuited for retail sale in the locality concerned; and that he will lodge such opium as may be passed by the Collector or other officer aforesaid, as well as all opium purchased from a Government depôt, or from the Collector under Clause 2 of this license, at such place, in such manner and under such custody, and will remove and transport opium from such place of deposit, at such times and in such manner as the Collector or other officer aforesaid may from time to time direct.

5. That he will keep in stock at the place appointed by the Collector under Clause 4 above, at all times between 1st August 189 and the 1st July 189 inclusive, a quantity of opium passed for retail sale by the Collector or other officer aforesaid, or of opium purchased from a Government depôt or from the Collector under Clause 2, amounting in the aggregate to at least* lbs. weight.

6. That he will keep in a book, bound and paged, each page of which shall bear the seal of the Collector, plain and correct accounts written up to date daily of opium lodged into, removed from, and in store at, the place of deposit mentioned in Clause 4, and of opium daily received, sold and in stock at each of his retail shops, as well as the price realised by sale, together with a list showing the names and addresses of all persons to

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* One-tenth of the minimum number of pounds guaranteed for a whole year.

whom opium may be sold in quantities exceeding five tolás at one time, and will render to the Collector on or before the 5th of each month a statement showing the number of pounds of opium lodged into, removed from, and in store at, the place of deposit mentioned in Clause 4, and the number of pounds of opium received, sold and in store at each of his shops, during the preceding month, and will furnish forthwith on demand by the Collector such other accounts, returns and information respecting his dealings and arrangements under this license as the Collector may require; and that the keeping or rendering of incorrect accounts, statements or information will constitute a breach of the conditions of this license.

7. That if the aggregate of the quantities of opium sold by him by retail at his shops as shown in the monthly statements rendered in accordance with the last preceeding clause fall short, at any time during the term of this license, of a quantity equal to* of the minimum number of pounds specified in Clause 1 multiplied by the number of completed months elapsed from the date of the commencement of this license, he will pay to the Collector, within seven days after the end of the month up to which any such deficiency may have accrued, penalty at the rate specified in Clause 1 on every pound of such deficiency: provided that the amount of penalty so paid will be remitted afterwards to the extent by which the deficiency may be made good by larger sales than* of the number of pounds specified in Clause 1, in any subsequent month, or months, during the term of this license.

8. That the Collector shall have a lien on all opium held in stock by the licensee at the place of deposit mentioned in Clause 4 for the recovery of the penalty payable by the licensee under Clauses 1 and 7,† (of the contribution for establishment recoverable under Clause 21A.) and of any fine levied on him under Clause 25.

9. That the licensee will, immediately after the expiry or recall of this license, surrender to the Collector all opium remaining unsold on his hands on the date of the expiry or recall of this license as he may have been unable to dispose of in lawful manner, and will receive from the Collector such price, including duty, as the Collector shall adjudge for so much of the opium so surrendered as may not be liable to confiscation and as may be declared by the Collector to be of good quality and fit for retail sale; but he will not be entitled to receive any payment whatever for any portion of the opium so surrendered which may be liable to confiscation or which may be declared by the Collector to be unfit for retail sale.

10. That he will not sublet any of his opium shops without permission of the Collector, or employ for the retail sale of opium any person for whose employment in that behalf he may not have previously received written sanction and a separate license signed by the Collector authorizing such person to sell opium on behalf of the licensee.

11. That he will cause each ball of opium intended for sale to be threaded and stamped with the Collector's or Mámlatdár's official seal, at his own expense and in such manner as the Collector may prescribe; that in retailing opium, only the quantity required by each successive customer shall, as far as possible, be cut off from a sealed ball; that he shall not have in his possession at each of his shops more than one broken ball of opium at a time for sale to customers.

12. That he will retail opium only in the shops above mentioned, and that he will open and maintain new shops and close existing shops as may be required by the Collector from time to time during the currency of this license.

13. That he will keep and use for selling opium by retail and other purposes of this license such weights as the Collector may direct.

14. That, except to a medical practitioner or other person holding a special license from the Collector, he will not sell more than ten tolás weight of opium to any person at one time.

15. That he will not adulterate or admix any foreign substance or material whatever with the opium sold by him.

‡16. That he will not receive any wearing apparel or other goods in barter for opium; that he, his servants, agents and his sub-tenants will not sell opium at prices below the rates notified from time to time for the issue of opium from the nearest Government depôt, or exceeding such rates by more than one anna for a tola, unless specially authorized by the Collector in writing to sell opium at a higher rate.

17. That he will not open his shop or make sales therein before sunrise; that he will not keep it open or make sales therein after 9 o'clock P.M.; and that he will not harbour any person therein during the night.

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* One-twelfth, if the license is for one year; one-twenty-fourth, if the license is for two years; one-thirty-sixth, if the license is for three years; and so on.

† The bracketted words should be retained in licenses in which Clause 21A. is allowed to stand. In licenses in which Clause 21A. is omitted, the bracketted words of Clause 8 should be scratched out.

‡ In licenses for the districts of Ahmedabad, Kaira, Broach, Surat and the Panch Mahâls, the following should be substituted for Clause 16:—

"16. That he will not receive any wearing apparel or other goods in barter for opium; that he, his servants, agents and sub-tenants will sell opium at a uniform rate, being one anna per tola in excess of the Government issue rate for the time being in force in the district of

18. That he will not permit persons of notoriously bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein, and that he will give information to the nearest Magistrate or Police Officer of any suspected persons who may resort to his shops.

19. That he will have constantly fixed up at the entrance of his shop a signboard bearing the following inscription in legible characters in the vernacular language:—

(Name of Vendor.)

"Licensed to retail Opium". "Price of Opium per tola, annas ."

20. That he will produce forthwith for inspection, on demand of any Revenue, Police, Excise, or Customs Officer above the rank of Jamádár, the accounts of any of his retail shops, or of the place of deposit mentioned in Clause 4 of this license as well as the whole quantity of opium in his possession, and that he will not prevent any Revenue, Police, Excise, or Customs Officer of whatever grade from entering any of his shops at any hour of the day or night.

21. That the "pound" mentioned in this license will be a pound equal in weight to 40 tolas, a tola being reckoned as equal to 180 grains.

*21A. That the licensee shall pay into the Collector's treasury monthly the sum of Rs. as contribution towards the cost of the Government establishment employed for the prevention of opium smuggling in the district. The first payment shall be made not later than the 31st August 189 , and subsequent payments not later than the last working day of each successive month during the term of this license.

22. That he has deposited with the Collector the sum of Rs. † in cash or Government Promissory Notes as security for the due performance by him of the conditions prescribed in this license, and that the said amount or such portion of it as may not have been appropriated by the Collector in liquidation of Government demands against him will be returned to him after the expiry of this license and after all demands against the licensee shall have been fully satisfied.

23. That his license may be recalled by the Collector—

(*a*) for default of punctual payment of the penalty mentioned in Clauses 1 and 7; or

(*b*) for default in or violation of any of the conditions specified in this license; or

(*c*) if the holder thereof be convicted of a breach of the peace or of any other offence during the currency of this license; or

(*d*) if he infringes any of the conditions imposed on him by the Opium Act, 1878, or by the rules in force thereunder.

24. That any loss caused to Government in consequence of the recall of this license for any of the aforesaid causes shall be recovered from him from the cash deposited by him with the Collector, or by attachment and sale of the stocks of opium held by him, or in such other lawful manner as the Collector shall direct. He shall not be entitled to any sum that may be realized over and above the sum payable by him by putting the license to sale in consequence of his default, nor shall he be entitled to any compensation or refund of any sums paid by him. Should the Collector desire to cancel this license before the expiry of the period for which it has been granted for any causes other than those specified in the preceding clauses, the Collector shall give him three months' previous notice and absolve him from all liabilities under this license for the unexpired term of the license, or if notice be not given, shall make such further compensation in default of notice as the Commissioner of Customs, Salt, Opium and A'bkari may direct.

25. That the Collector shall have power at any time to impose a fine not exceeding Rs. 1,000 on the licensee, instead of recalling this license, for infringement by the licensee, or by any of his servants, agents, or sub-tenants, of any of the conditions of this license, and to recover the amount of the fine so imposed from the cash deposited by the licensee, or by attachment and sale of the opium lodged under Clause 4, or in such other lawful manner as the Collector may think fit. Nothing contained in this clause or in Clauses 23 and 24 shall however affect the liability of the licensee to criminal prosecution under the Opium Act.

26. That this license does not cover the manufacture and sale by the licensee of chandul, madat or any other preparation of poppy juice, other than opium. That he shall not have directly or indirectly any interest or share in any of the licenses issued by the Collector for the manufacture and sale of chandul, madat or any other preparations of poppy juice, other than opium, in the district of

Granted this the day of 189 .

Seal of the Collector.

Collector.

* This clause should be retained only in licenses in which its retention is specially directed by the Commissioner of Opium.

† Eight annas for every pound of the minimum guaranteed yearly vend.

Counterpart agreement to be executed by the Licensee.

Impressed stamp value 8 annas.

I, the above-named Licensee, hereby agree to all the conditions hereinbefore written.

Signed in our presence, this the Licensee.

day of 189 .

Witnesses.

F.

(*See Rule 33A.*)

Pass within days from this date, opium weighing lbs. , tolas , grains , seized at the village of , in the táluka or mahál of , in the division of , in the territories of His Highness the Gáikwár, through the British villages named in the margin, to the village of in the táluka or mahál of in the said division in the custody of for production before the undersigned. (Notn. No. 4426, *B. G. G.*, 1891, Pt. I., p. 538, 2nd July 1891.)

Náib Subha.

BOMBAY OPIUM WAREHOUSE RULES.

(Notn. No. 4472, *B. G. G.*, 1885, Pt. I., pp. 698—703.)

In exercise of the power conferred by section 8 of the Opium Act, 1878, the Governor in Council is pleased, with the previous sanction of the Governor General in Council, to make the following rules relating to the warehouse appointed in Notification No. 2205,* dated 15th March 1885, (published at page 341 of the *Bombay Government Gazette* of the 19th idem), for the storage and deposit of opium legally imported into the Presidency of Bombay intended for exportation by sea therefrom, *viz.* :—

1. The said warehouse shall be known as "The Bombay Opium Warehouse" and these rules may be cited as "The Bombay Opium Warehouse Rules."

2. In these rules, unless there be something repugnant in the subject or context, any word or expression which is defined in the Opium Act, 1878, or in the Bombay Opium Rules shall be deemed to have the meaning attributed to it by that Act or those rules.

3. Opium brought to the warehouse for deposit shall be accompanied by the passport covering it issued at the scales.

4. At the time of receipt of the opium into the warehouse, the warehouse-keeper, or some other officer authorized by him in this behalf, shall examine the marks, numbers and other particulars on the chests or half-chests and verify the same by comparison with those entered in the passport.

5. If the marks, numbers and other particulars on the chests or half-chests are not found to correspond with those given in the passport, the warehouse keeper shall at once report the fact for the orders of the Collector, the opium being held in safe custody pending such orders.

If they correspond, the opium shall be stored in the warehouse.

6. After storage of the opium, the warehouse-keeper shall stamp across the passport the word "warehoused" and shall enter therein, in the place provided for the purpose, the number of the compartment of the warehouse in which the opium has been stored, with the date and his signature.

The passport shall then be sent to the Opium Department.

7. On receipt of the passport in the Opium Department, the particulars thereof shall be entered in a register; the passport shall then be stamped with the word "cancelled" and retained in the Opium Department. The date of warehousing shall also be noted in the register of passports.

8. All opium deposited in the warehouse as above shall be at the disposal of the owners, to be dealt with

*Notification No. 2205 appoints the building, known as the Port Trust Apollo Bonded Warehouse, situated in Marine Street, Fort, Bombay, to be the place for the storage and deposit of opium legally imported into the Presidency of Bombay and intended for exportation by sea therefrom. (Established under authority quoted in Notification No. 3862, *B. G. G.* of 1884, p. 363.)

as provided in the Opium Act and the Bombay Opium Rules.

9. No warehoused opium shall be removed from the warehouse until application in writing has been made to the Collector and a permit for such removal has been obtained from him.

This rule shall not apply to the removal of opium from one compartment of the warehouse to another.

10. Before removal of warehoused opium for exportation by sea, the exporter's shipping bill, which shall be in the from of schedule A, or to the like effect, and shall be prepared in the manner provided in No. 25 of the Bombay Opium Rules, shall be presented to the warehouse-keeper, together with the Collector's permit authorizing such removal.

11. As the opium is passed out of the warehouse, the warehouse-keeper, or some other officer authorised by him in this behalf, shall compare the marks and numbers and other particulars on the chests or half-chests with those entered on the shipping bill, and shall permit the removal of the opium only on finding the particulars to correspond.

12. When all the opium covered by a shipping bill has been passed out of the warehouse, the warehouse-keeper or other officer aforesaid shall note on the shipping bill the fact of the removal of the opium and the date thereof.

13. The warehouse-keeper shall then note in the shipping bill the hours between which the opium shall be transported from the warehouse to the place of shipment, and return it to the exporter.

14. Before removal of any warehoused opium, under the proviso to No. 12 of the Bombay Opium Rules, for consumption within the Presidency of Bombay or for exportation under No. 27 of the said rules into any foreign State or into any part of British India outside of the Presidency of Bombay, the pass required by No. 7 or No. 27 of the said rules, as the case may be, shall be presented to the warehouse-keeper, together with the Collector's permit authorizing such removal.

15. Previous to permitting removal of any opium under Rule 14, the warehouse-keeper shall check by weighment the contents of each chest or half-chest, and shall compare the weight with that given in the pass, and in the case of opium which is to be exported under No. 27 of the Bombay Opium Rules, shall seal each package as required by No. 28 of those rules.

16. On the removal of any such opium from the warehouse the warehouse-keeper shall note on the pass the fact of the removal and the date thereof, returning the pass to the person who presented it.

17. Before any warehoused opium is removed, whether under Rules 10—13 or 14—16, the warehouse-keeper, or other officer authorized by him in this behalf, shall mark each chest or half-chest with the Government stamp provided for this purpose.

18. Unless the Collector by a special order or otherwise directs, no opium shall be taken into, or passed out of the warehouse except in whole or half-chests and in the manner prescribed in the foregoing rules.

19. Every operation connected with the deposit and removal of opium in or from the warehouse, the bringing of the same to the proper place for examination and weighment, and putting thereof into and out of the scales, and the opening, sorting, lotting, marking and numbering of packages of opium, in accordance with or for the purposes of these rules, shall be performed by, or at the expense of, the owner of the opium.

20. The warehouse-keeper, or any person duly authorized by the Collector, may at any time enter any compartment or part of the warehouse, and may weigh or otherwise take an account of any opium that may be there.

21. All assays, tests, examinations and samplings shall be performed within the warehouse.

22. Assaying, testing and other operations in which the use of fire is necessary shall be carried on only in the part of the warehouse premises set apart for that purpose and known as the 'testing-rooms.'

23. The balance of opium, if any, remaining after assay or test shall be removed from the testing-rooms and again deposited in the portion of the warehouse set apart for its storage.

24. The use of fires and naked lights and smoking within the warehouse are absolutely prohibited except in the testing-rooms.

25. The use of covered lights and lanterns may be permitted by the warehouse-keeper whenever it is shown to his satisfaction that it is necessary to allow the packing and sorting of opium to be proceeded with in the warehouse after sunset. The use of petroleum or other inflammable or dangerous oils for the purpose of lighting is strictly prohibited.

26. The warehouse shall be closed on Sundays and on New Year's Day, Good Friday, the Empress' Birthday, Christmas-day and all other days on which the closing of public offices is ordered by Government. The Collector, however, may, on application, permit the warehouse to be opened on these days on payment of such fees as the Collector, with the sanction of the Commissioner, may from time to time fix.

27. The ordinary working hours in the warehouse shall be from 10 A.M. to 5 P.M. But when the owner of any opium to be deposited in the warehouse, or of any opium already in the warehouse, makes—

(*a*) a verbal request that the warehouse be kept open at any other time between sunrise and sunset, or

(*b*) a written application, giving sufficient reasons for the request, that the warehouse be kept open after sunset up to an hour not later than 10 P.M.,

the warehouse-keeper shall open or allow the warehouse to remain open as desired.

28. No opium, or any other article, shall be brought into or removed from the warehouse except between the hours of sunrise and sunset: provided that opium unavoidably detained in transit to the warehouse and brought to the warehouse after sun-

set may be received in safe custody pending verification in the manner specified in Rule 4.

29. The warehouse shall be opened and closed only in the presence of the warehouse-keeper, who shall be responsible that all doors and windows giving access to the warehouse are properly closed and secured at the end of each day, and at the time of closing shall see that no person remains within the warehouse after it is closed, and that all lights and fires have been properly put out.

30. After the closing of the warehouse, the warehouse-keeper shall place the keys of all locks in a box provided for the purpose, and after locking the said box shall forward it to the Superintendent, Preventive Service, or other officer for the time being residing at the Town Custom House; one key of the said box shall remain in charge of the warehouse-keeper and a duplicate with the officer aforesaid.

31. The responsibility of securely closing the doors and windows of the several compartments within the warehouse shall rest with the respective occupants of such compartments and the keys shall remain in their charge.

32. Every person who enters or leaves the warehouse shall be liable to be searched for the purpose of ascertaining if he has opium secreted about him.

33. All cases, bundles and other articles shall be liable to examination when being taken into or removed from the warehouse.

34. Any person found guilty of any breach of the Opium Act or of any rule framed thereunder, or otherwise committing any offence in respect of the warehouse or of the warehouse officials, or of any property contained in the warehouse, may be excluded from, and prohibited entry into, the warehouse by the Collector.

35. The owners of opium stored in the warehouse shall ordinarily pay monthly in advance rent at the rates specified in Table I of Schedule B, but the Commissioner of Customs and Opium may at any time substitute therefore fees at the rates specified in Table II of the same schedule. (Notn. No. 6315, *B.G.G.*, 1885, Pt. I., p. 966.)

36. In the event of any rent (or warehouse-fee) not being paid when due, the Collector may detain any opium in the warehouse, the property of the person or persons by whom such rent (or warehouse-fee) is due, until the claim be satisfied, and no opium in respect of which rent (or warehouse-fees) have not been paid shall be removed from the warehouse until they are paid.

37. The allotment of compartments and of testing rooms in the warehouse shall rest with the Collector, who may at any time revise or alter any such allotment previously made by him.

38. Nothing contained in the foregoing rules shall be deemed to affect opium in the warehouse belonging to or which is to be purchased by or on behalf of Government.

SCHEDULE A.—(*See Rule 10*).

FORM OF EXPORT SHIPPING BILL.

(*Front.*)

Entry of Goods exported by *from the Prince's Dock Bandar per S.S. "Cathay" under English colours to Hongkong.*

1		2	3	4	5	6	7	8	9	10	11
Marks.	Number and kind of Packages.	Description of Goods.	Weight or Quantity.	Whether Duty is leviable according to Tariff or Market value	Tariff Rates for Duty.	Tariff Value for Duty.	Market Rates for duty or value.	Market or Value under Sections XXIX and XXX of Act VIII of 1878.	Rate of Duty.	Amount of Duty.	Number and date of Import Entry.
					Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	
AB 1/18. BC 1/2...	(20) Twenty Chests.	Opium... To be in force for one month from the date of the Export Shipping Bill.	140 lbs. each chest— From Compartment No. 3 (6) six chests. Do. do. No. 5 (7) seven chests Do. do. No.10(4½) four and half chests. Do. do. No.13(2½) two and half chests. Total ... (20) Twenty chests.				1,250 per chest. 0 0	25,000 0 0			Checked with and noted in Store Register. Pass from the Government Opium Warehouse to the Prince's Dock by Marine Street and Frere Road, in carts in charge of Ráma Govind, opium to the amount and in the packages mentioned in this shipping bill. This pass is to remain in force from 10 A.M. to 5 P.M. this day only. Asst. Collr. of Customs, Opium Department.

Enterer No. 189 declare the contents of this application to be truly stated.

Customs received No. Let Export. *Bombay,* *189*

Cashier.

Asst. Collector.

N.B.—When goods are assessable for duty according to Tariff value, columns 5 and 6 are to be filled in for duty, and columns 7 and 8 for re-value, according to the sections of the Act quoted.
When goods are assessable for duty according to real, that is, market value, columns 5 and 6 will be left blank, and columns 7 and 8 filled in.
When goods are assessable for duty according to weight or quantity, columns 5, 7 and 8 will be filled in and column 6 left blank.
Free goods will have columns 7 and 8 filled in. Columns 9 and 10 will be filled in by the Customs Department.

(Reverse.)

Vessel's name may be altered.

Fee one Rupee.

188 Asst. Collector.

Fee received.

Cashier.

After check with the original entry for fresh one may be granted for the portion shut out or not shipped.

Fee one Rupee.

189 Asst. Collector.

Vessel's name may be altered.

Fee one Rupee.

189 Asst. Collector.

Fee received.

Cashier.

No.

FOR MEASUREMENT AT BANDAR AND COLLECTION OF MEASUREMENT FEE.

BOMBAY,_____ 189 .

Rs. a. p.

Measurement Fee on_____ bales levied.....

(Signed)_____

Measurement Fee Clerk.

[*N. B.—Henceforward Export Shipping Bills (Export Notes) will be presented by shippers in triplicate.*

The original of those will be taken with the first boat-load of each consignment to the Ship or Steamer, as the case may be, and delivered to the Master or Commander, who will keep it with him until the loading of the vessel is completed, and, at the time of applying for Port Clearance, deliver all such Export Shipping Bills duly endorsed as to his having received on board the quantity covered by them, together with the Export Manifest in duplicate as usual.

The duplicate copy will be delivered to the Gate-keeper, who will endorse on the back of it the quantity passed by him, and in the evening will return to the Export Department all such duplicates that have been completely disposed of.

The triplicate will remain in the Custom House as Office Record.]

Contents received.

(Signature)_____

Master or Commander of the Ship.

SCHEDULE B.—(*See Rule 35*).

TABLE I.

Rent.

(Notn. No. 6315, *B. G. G.*, 1885, Pt. I., p. 966.)

No. of Compartment in Warehouse.	Rate per mensem.	Payable.	No. of Testing rooms.	Rate per mensem.	Payable
3, 4, 9, and 10	Rs. 80 each...	Monthly in advance.	1 and 7... ...	Rs. 30 each...	Monthly in advance.
1, 7, 13, 15, 16, and 18	Rs. 75 ,, ...	Do. ...	2, 3, 4, 5, 6, 8, and 9.	Rs. 15 ,, ...	Do. ...
2, 5, 6, 8, 11, 12, 14, and 17 ...	Rs. 70 ,, ...	Do. ...	.....	.....	.....

TABLE II.

Warehouse Fees.

When deposited in any Compartment on	Rate.			
	Annas.			
1st Floor	11	Chest or two half-chests.	Before receipt of opium into warehouse.	These rates include both rent for compartment in warehouse and testing-rooms.
2nd do.	10½			
3rd do.	10			

APPENDIX A.

The direct importation of opium from Málwa is permitted into the Town of Bombay for retail sale in the said town by persons duly licensed there to retail opium subject to the following conditions :— (Notn. No. 2365, *B. G. G.*, 1878, p. 303.)

(*a*.)* All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for exportation by sea, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rule 15 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*). All opium so imported shall, on arrival at Bombay, be deposited either in the Government opium godown, or in the licensed shop of the licensed vendor importing the same.

(*c*). Opium deposited in the Government godown will remain there at the risk of the importer, who shall be at liberty to keep it in his own boxes and under his own keys and seals, and to remove it in reasonable quantities at a time to his shop as he requires it for use ; but he shall not be entitled to have access to the godown except during office hours, nor without special permission from the Collector of Customs oftener than twice a week.

(*d*). The quantity of opium to be removed from the Government godown shall on each occasion be presented to the officer in charge of the Opium Department of the Custom House for weighment and registration, and shall be covered by a pass in the Form C, attached to the Rules.

The direct importation of opium from Málwa is permitted into the districts of Ahmedabad, Kaira and the Panch Maháls for retail sale in the said districts by persons duly licensed in each respective district to retail opium, subject to the following conditions :— (Notn. No. 5214, *B. G. G.*, 1880, p. 850.)

(*a*).* *(The same as condition (a) in the last preceding Notification.)*

(*b*). All opium so imported shall, on arrival, be deposited in the places specified below :—

Opium for Ahmedabad District—In the Stamp Depôt under the Huzúr Deputy Collector, Ahmedabad.

Opium for Kaira District—In the Government Treasuries at A'nand, Thásra, Nadiád and Kaira.

Opium for the Panch Maháls—In the Government Treasury at Godhra.

(*c*). Opium deposited as aforesaid will remain there at the risk of the importers, who shall be at liberty to keep it in their own boxes and under their own keys and seals, and to remove it to their shops at such times as the Collector may determine, and in such quantities at a time as they may require for use, not being less than the minimum quantity to be fixed by the Collector ; they shall not be entitled to have access to the place of deposit except during office hours, nor without special permission of the Collector or other officer duly empowered by the Collector to grant such permission.

(*d*). The quantity of opium to be removed from the place of deposit shall, on each occasion, be presented to the officer in charge of the place for weighment and registration, and shall be covered by a pass in the Form C. attached to the Rules.

The direct importation of opium from Málwa is permitted into the districts of Broach and Poona for retail sale in the said districts by persons duly licensed in each respective district to retail opium, subject to the following conditions :— (Notn. No. 6341, *B. G. G.*, 1881, p. 656.)

(*a*).* (The same as condition (*a*) in Notification 2365 of 1878 above.)

(*b*). All opium so imported shall, on arrival, be deposited in the places specified below :—

Opium for Broach District.—In the Mámlatdár's Treasury at Broach.

Opium for Poona District.—In the Government Treasury at Poona.

(*c*). *(The same as condition (c) in the last preceding Notification.)*

(*d*). *(The same as condition (d) in the last preceding Notification.)*

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* The following condition shall, as soon as is consistent with existing engagements, come into force in lieu of condition (*a*) of Notifications 2365 of 1878, 5214 of 1880, and 6341 of 1881 :—

"(*a*) All opium so imported shall be subject to the rate of duty notified from time to time under section 6 of the Opium Act, 1878, to be leviable on opium imported into the Presidency of Bombay for consumption therein, and payment of the duty leviable thereon shall be made in accordance with the provisions of the rules made under section 5 of the Opium Act, 1878."

His Excellency the Governor in Council is also pleased to direct that in paragraph 2 of the same Notifications the following words, namely :—

"that the differential duty, if any, leviable on the opium under the proviso to Rule 10 of the Rules made under section 5 of the Opium Act, 1878, be paid,"

shall be inserted after the words "half-chests purchased" and before the words "and that the opium."

(No. 10197, *B. G. G.*, 1885, p. 2.) Under the provisions of section 10 (*c*) of the Rules framed under sections 5 and 13 of the Opium Act, 1878, and notified in Part I. of the *Bombay Government Gazette* of the 11th October 1883, pages 755 to 772, His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa into the districts of Sholápur and Násik for retail sale in the said districts by the persons duly licensed to retail opium in those districts, subject to the following conditions:—

(*a*). All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for home consumption, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rules 15 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*). All opium so imported into the Sholápur district shall, on arrival, be deposited in the Government Treasury at Sholápur, and all opium so imported into the Násik District shall, on arrival, be deposited in the Government Treasury at Násik.

(*c*.) (*The same as condition* (*c*) *in Notification 5214 of 1880.*)

(*d*.) (*The same as condition* (*d*) *in Notification 5214 of 1880.*)

(No. 2236, *B. G. G.*, 1885, Pt. I., p. 342.) Under the provisions of section 10 (*c*) of the Rules framed under sections 5 and 13 of the Opium Act, 1878, and notified in Part I. of the *Bombay Government Gazette* of the 11th October 1883, pages 755 to 772, His Excellency the Governor in Council is pleased to permit the direct importation of opium from Málwa into the district of Ahmednagar for retail sale in the said district by the person duly licensed to retail opium in that district subject to the following conditions:—

(*a*). (*The same as condition* (*a*) *in the last preceding Notification.*)

(*b*). All opium so imported into the Ahmednagar District shall, on arrival, be deposited in the Government Treasury at Ahmednagar.

Conditions (*c*) *and* (*d*) *are the same as in Notification 5214 of 1880 above.*

*(Notn. No. 5300, *B. G. G.*, 1885, p. 821.) Persons duly licensed to retail opium in any district or place to which any of the above, Notifications (in this Appendix) applies may supply themselves with opium by purchase from wholesale dealers in Bombay subject to the following conditions, *viz.*:—

(1) that permission be in every case obtained as required by the proviso to No. 12 of the said rules;

(2) that the differential duty, if any, leviable on the opium under the said proviso be duly paid;

(3) that the opium be purchased by whole or half chests only;

(4) that it be shown to the satisfaction of the Collector of Customs and Opium that the whole of the opium purchased has been obtained from the Bombay Opium Warehouse and not from any other place;

(5) that the opium purchased be forthwith transported to its destination, and lodged for issue in the same manner as if it had been imported direct from Málwa or Meywár, as the case may be.

(Notn. No. 7594, *B. G. G.*, 1889, pp. 857-858.) The direct importation of opium from Málwa or Meywár is permitted into the district of Khándesh for retail sale in the said district by the person duly licensed to retail opium in that district, subject to the following conditions:—

(*a*) All opium so imported shall be subject to the rate of duty imposed, for the time being, on opium imported into the Presidency of Bombay for home consumption, and payment of the duty leviable thereon shall be made in accordance with the provisions of Rule 17 of the Rules under the Opium Act, 1878, for the payment of duty on opium intended for exportation by sea.

(*b*) All opium so imported into the Khándesh District shall, on arrival, be deposited in the Government Treasury at Dhulia.

(*Conditions* (*c*) *and* (*d*) *are the same as in Notification 5214 of 1880 above.*)

2. The person duly licensed to retail opium in the aforesaid district is further permitted to supply himself with opium by purchase direct from wholesale dealers in Bombay, subject to the conditions set forth in Notification No. 5300 of 1885 (*vide supra.**)

APPENDIX B.

His Excellency the Governor in Council is pleased to rule that the Pálanpur-Ahmedabad State Railway be the route by which alone opium from Baroda territory may be imported into the Bombay Presidency for transmission to the scales at Ahmedabad. All opium so

imported shall be carried direct to the Government Opium Agency in the town of Ahmedabad—Government Notification No. 3340 of 29th June 1880.

APPENDIX C.

Dádar Station on the G. I. P. Railway has been appointed an examining station for opium booked through for re-exportation—Government Resolution No. 2250, dated 5th April 1882.

Kalyán Station on the G. I. P. Railway has been appointed an examining station for opium booked through from Khandwa to Hyderabad and stations on the Nizám's State Railway—Government Notification No. 6004, dated 8th November 1879.

Ahmednagar on the Dhond-Manmád State Railway have been appointed an examining station for opium booked through for Madras, Hyderabad and stations south of Ahmednagar—Government Notification No. 6466, dated 3rd December 1879.

APPENDIX D.

5th July 1890.

In exercise of the powers conferred by section 6 of Act I of 1878 (the Opium Act, 1878), the Governor General in Council is pleased to reduce by Rs. 50 per chest the duty on opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay. (Notn. No. 3242, *B. G. G.*, 1890, Pt. I., p. 641, republishing G. of I. Notn. No. 4767.)

Accordingly it is hereby notified that, till further orders, all opium imported by land into the Presidency of Bombay and covered by a pass for exportation by sea from the Port of Bombay granted in accordance with Rule 16 of the Rules made under the Opium Act, 1878, published by the Government of Bombay in their Notification No. 4472A.,* dated 3rd June 1885, shall be subject to the following duty upon each chest weighing net 140¼ lbs. avoirdupois weight, namely:—

* Published at pages 704 to 715 of Part I. of the *Bombay Government Gazette* of the 4th June 1885.

When the pass for such opium is granted at Ajmere	...	Rs. 625
When the pass for such opium is granted elsewhere	...	„ 600

All opium imported by land into the Presidency of Bombay, and *not covered by a pass for exportation by sea from the Port of Bombay*, granted in accordance with Rule 14† of the Rules made under the Opium Act, 1878, and published by the Government of Bombay, will be subject to the following duty upon each chest weighing net 140¼ lbs. avoirdupois weight, namely:— (Notn. No. 7335, *B. G. G.*, 1882, Pt. I., p. 965, republishing G. of I. Notn. No. 4709 F. and C. of 3rd November 1882.)

When the pass for such opium is granted at Ajmere	...	Rs. 725
When the pass for such opium is granted elsewhere	...	„ 700

The order of the Government of India reducing by Rs. 50 per chest the duty on opium referred exclusively to opium imported by land into the Presidency of Bombay for exportation by sea from the Port of Bombay. It did not purport to affect the rate of duty on opium imported by land into this Presidency for home consumption (G. R. No. 6402 15th September 1882, R.)

APPENDIX E.

The following officers are authorised to act within the limits of their respective charges, under the sections of the Opium Act, 1878, hereinafter respectively named (namely):—

Under section 12, paragraph 3.—The Collector of Salt Revenue (so far as regards any opium or other things seized by himself or by any officer subordinate to him.) (Notn. No. 3578, *B. G. G.*, 1879, Pt. I., p. 609.)

Under section 14.—All officers of the Revenue Department invested with Magisterial powers, all Police officers superior in rank to a Head Constable, all Sar-Kárkúns and Inspectors in the Departments of Opium and Abkári, the Collector, Deputy Collector, and all Assistant Collectors of Salt Revenue, the Superintendent of the Coast Guard Service and all Coast Guard Inspectors, Frontier Inspectors, Sar-Kárkúns of Tálukas and supervisors of Distilleries subordinate to the Collector of Salt Revenue, Sub-Inspectors in the Department of Opium (Ábkári) and Inspectors of Salt Revenue in Sind. (Notn. No. 9339, *B. G. G.*, 1883, p. 1000.)

Under section 19.—The Collector, Deputy Collector and all Assistant Collectors of Salt Revenue. (Notn. No. 7249, *B. G. G.*, 1885, p. 1102.)

Under section 22.—All Collectors, Assistant and Deputy Collectors, Mámlatdárs, Mukhtyárkars, Aval-Kárkúns and Head Munshis.

Under section 24.—All Assistant and Deputy Collectors, Mámlatdárs, Mukhtyárkar and Mahálkaris.

† Rule 16 of Rules of 1885, given in this compilation.

APPENDIX F.

(Notn. No. 221, *B. G. G.*, 1883, Pt. I., p. 28.)

Under section 133 of Act VIII of 1878 (the Sea Customs Act).—His Excellency the Governor in Council is pleased, with the previous sanction of His Excellency the Governor General of India in Council, to declare that a fee on opium, not the produce of India, imported by sea into the Ports of Bombay, Karáchi, or Aden, and *transhipped* in any of the said ports, shall be levied at the following rates on each chest not exceeding 140¼ pounds avoirdupois net weight:—

When the consignment does not exceed 150 chests, at			Rs. 5	per chest.
From 151 to 300 chests, at	...	...	„ 4	„
From 301 to 600 chests, at	...	...	„ 3	„
From 601 chests, and upwards at	...	...	„ 2	„

(Notn. No. 7599 *A*, *B. G. G.*, 1884, p. 706.)

A fee on opium which is the produce of India, imported by sea into the Port of Aden and there transhipped, shall be levied at the same rates.